

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:	)	
	)	<b>Group Art Unit:</b> 3739
<b>Michael P. WALLACE</b>	)	
	)	<b>Confirmation No.:</b> 2638
<b>Serial No.: 10/669,203</b>	)	
	)	<b>Examiner:</b> Roane, Aaron F.
<b>Filed:</b> September 23, 2003	)	
	)	
<b>For:</b> ENERGY ACTIVATED VASO-	)	
OCCLUSIVE DEVICES	)	

**APPEAL BRIEF TRANSMITTAL**

**MAIL STOP APPEAL BRIEF-PATENTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith are filing for the above-identified application:

- ☒ Appeal Brief-CFR 41.37 (22 pages)
- ☒ Evidence Appendixes: A) U.S. Patent No 5,853,418 (18 pages), B) U.S. Patent No. 6,238,421 (6 pages), C) U.S. Patent No. 6,280,457 (16 pages), D) U.S. Patent No. 6,024,754 (15 pages)

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**CERTIFICATE OF TRANSMISSION**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being transmitted to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below via the USPTO EFS-Web filing system.

December 2, 2008  
Date of Deposit

/NancyRushton/  
Nancy Rushton

The items checked below are appropriate.

- ☒ Appeal Brief Fee:
  - ☒ Large Entity Fee of \$540.00
- ☒ Applicant petitions for extension of time for one month (37 CFR 1.136(a)):
  - ☒ Large Entity Fee of \$130.00
- ☒ Credit card payment in the amount of \$670.00 is paid via EFS Web.

Respectfully submitted,

**VISTA IP LAW GROUP LLP**

Dated: December 2, 2008

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